

IN THE CLAIMS

In accordance with 37 C.F.R. § 1.121, the following LISTING OF CLAIMS identifies the claims as "original", "currently amended", "cancelled", "withdrawn", "new" "previously presented", or "not entered" as the case may be. In accordance with the Rules, the text of cancelled and not entered claims is not presented.

LISTING OF CLAIMS

1. (cancelled)

2. (currently amended) The scabbard as defined in claim 48 wherein the carrier includes upper and lower generally C-shaped housing portions supporting said rollers and having laterally opposed ends defining said entry opening to permit a baton of a predetermined diameter range to be inserted laterally into said entry opening.

3. (currently amended) The scabbard of claim 2 wherein said upper and lower frame portions are disposed in parallel spaced relation, said over-center latching mechanism means sets of rollers being supported by and between said frame portions.

4. (currently amended) The scabbard of claim 48 wherein said over-center latching mechanism means comprises two roller assemblies, each roller assembly further including a front roller and a rear roller, each roller assembly configured to pivot relative to the carrier about a pivotal axis such that as a baton is first inserted into the scabbard, the roller assemblies pivot causing the front rollers to move apart and the rear rollers to move toward each other, and as the baton is further inserted into the carrier and contacts the rear rollers, the roller assemblies snap into place against the baton such that the front and rear rollers encompass a portion of the baton and urge the baton against the stop surface friction member.

5. (cancelled)

6. (cancelled)

7. (cancelled)

8. (previously presented) A scabbard comprising:

a carrier having a generally C-shaped cross section, a rear wall and top and bottom, the top and bottom being open such that different length batons can be placed therein;

an over-center latching mechanism within the carrier, comprising two sets of roller assemblies, each roller assembly having a front roller and a rear roller pivoted together about a pivotal axis such that as a baton is inserted into the scabbard, the two front rollers pivot apart, and as the baton is pushed further against the rear rollers, the baton is snapped into the scabbard and the front rollers are pivoted together to hold the baton in place;

the over-center latching mechanism being self-adjustable such that different diameter pole-shaped devices can be placed within the scabbard; and

said carrier including a friction member releasably attached to the rear wall such that when a baton is placed into the scabbard the friction member and baton are in touching relation.

9. (previously presented) The scabbard of claim 8, wherein the friction member is constructed of a smooth rubber.

10. (currently amended) A scabbard as defined in claim [[4]]~~8~~ wherein said rollers have crowned peripheral surfaces.

11. (currently amended) A scabbard as defined in claim +~~8~~ including spring means operatively associated with said carrier for biasing the over-center latching mechanism means into latched relation with the baton.

12. (cancelled)

13. (previously presented) A scabbard as defined in claim 3 including a generally C-shaped arcuate spring supported by the carrier so as bias the laterally opposed ends of the upper and lower frame portions toward each other in a manner to urge the latching mechanism means into latching relation with a baton inserted laterally into the recess.

14. (cancelled)

15. (currently amended) A scabbard as defined in claim 18 including belt attachment means for releasably supporting the scabbard adjacent a user's waist.

16. (previously presented) A scabbard as defined in claim 15 wherein said belt attachment means includes a wheel shaped molding supported on said carrier, and a belt clip member mutually cooperable with said wheel shaped molding and defining a belt receiving channel.

17. (previously presented) A scabbard as defined in claim 16 wherein said belt clip member includes a locking wheel mutually cooperable with said wheel shaped molding to enable selective rotation of said belt clip member relative to said carrier so as to allow variable angular orientation of a baton supported by the scabbard adjacent the wearer's waist.

18. (cancelled)